

REMARKS

Claims 1 and 2 are pending in the application. Claim 1 is the only independent claim.

Claims Rejections - 35 U.S.C. § 102

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,891,038 to Barros.

In response to the rejection of claim 1 under 35 U.S.C. § 102(b), applicants have amended that claim herein to provide a better definition of the invention. Applicant respectfully maintains that amended claim 1 distinguishes the invention over the prior art and particularly over Barros.

As set forth in amended claim 1, a powder body metering apparatus comprises a metering container including an inlet in an upper end, and a switch valve for opening and closing the inlet of the metering container. An internal capacity of the metering container is variable. A first opening is provided in a lower portion and a second opening is provided in a desired portion. The first opening and the second opening are each spaced from the inlet. Pursuant to the present Amendment, the first opening and the second opening communicate with one another via the metering container.

In relying on Barros to reject claim 1, the Examiner maintained that the lower end of the lower part (g) forms one opening and the upper end of the lower part (g), at b', forms another opening.

Applicant has amended claim 1 to further distinguish the invention over Barros. As set forth in amended claim 1, the two openings communicate with one another via the

metering container. This is not the case in the Barros metering device. In Barros, the two openings communicate with one another via the outlet portion (g), not the metering container (e).

The specification has been amended to provide clear antecedent support for the language inserted into claim 1 by the present Amendment. The amendment to the specification does not constitute new matter inasmuch as the added paragraph is simply a description of a feature clearly found in all of the disclosed embodiments as depicted in the drawings.

Conclusion

For the foregoing reasons, independent claim 1, as well as claim 2 dependent therefrom, is deemed to be in condition for allowance. An early Notice to that effect is earnestly solicited.

An RCE Transmittal and Extension Request are enclosed herewith.

Should the Examiner believe that direct contact with applicant's attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

COLEMAN SUDOL SAPONE, P.C.

By: R. Neil Sudol
R. Neil Sudol
Reg. No. 31,669

714 Colorado Avenue
Bridgeport, CT 06605-1601
(203) 366-3560

Dated: 12 September 2007